

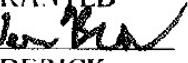


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ALDO A. BADINI

APPLICATION GRANTED

SO ORDERED 

VERNON S. BRODERICK

U.S.D.J. 4/1/2020

March 31, 2020

VIA ECF

Hon. Vernon S. Broderick, U.S.D.J.
Thurgood Marshall United States Courthouse
40 Foley Square, Room 415
New York, NY 10007

The Letter-Motion at ECF No. 894 to file portions of the documents filed at ECF No. 896 with redactions is GRANTED. The Letter-Motion filed at ECF No. 896 shall remain visible only to the selected parties. The Clerk of Court is respectfully directed to close the Letter-Motion at ECF No. 894.

Re: *In re Keurig Green Mountain Single-Serve Coffee Antitrust Litig.*, MDL No. 2542;
Master Docket No. 1:14-md-02542-VSB: Request to File Under Seal

Dear Judge Broderick:

I write as counsel for Plaintiffs TreeHouse Foods, Inc., Bay Valley Foods, LLC, and Sturm Foods, Inc. (collectively, “TreeHouse”) and on behalf of all Plaintiffs in accordance with Your Honor’s Individual Rules & Practices in Civil Cases 5.B to request leave to file under seal or redact limited portions of Plaintiffs’ Memorandum of Law in Support of Objections to Magistrate Judge’s Order and Exhibits A, B, and D thereto, which will be filed today, March 31, 2020.

Specifically, Exhibit B, which contains excerpts of certain deposition testimony, contains information highlighted in green and red¹ that Defendant Keurig Green Mountain, Inc. (“KGM”) has designated as Confidential under the terms of the Stipulated Protective Order. *See* ECF No. 496. Exhibit B also contains information highlighted in green and yellow² that third-party Sagentia has designated as Confidential. Plaintiffs request that the Court order redaction of this information from Exhibit B, as well as references thereto in Plaintiffs’ Memorandum of Law, which are highlighted in yellow.

Exhibit D has been designated by KGM as Highly Confidential. Plaintiffs request that the Court permit Exhibit D to be filed under seal, and to order redaction of the references to that Exhibit in Plaintiffs’ Memorandum of Law, which are highlighted in yellow.

Plaintiffs’ Memorandum of Law also contains references to information contained in TreeHouse’s Amended and Supplemental Complaint, which information was ordered to remain under seal by order of this Court. *See* ECF No. 213. Plaintiffs request that the Court order redaction of these references from Plaintiffs’ Memorandum of Law, which references are highlighted in green.

¹ The green highlighting in Exhibit B refers to information that both Sagentia and KGM have designated as Confidential. The red highlighting in Exhibit B refers to information that only KGM has designated as Confidential.

² The yellow highlighting in Exhibit B refers to information that only Sagentia has designated as Confidential.



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Finally, both Exhibit A and Plaintiffs' Memorandum of Law contain information ordered to remain under seal pursuant to an order by Judge Cave. *See* ECF No. 720. That information is highlighted in blue.

Plaintiffs have, per Your Honor's Individual Rule 5.B.iii.a., notified KGM and Sagentia of the required letter referred to therein.

In making this request, Plaintiffs are not conceding that any of the information designated as confidential by KGM or Sagentia is in fact confidential and reserve their rights to challenge such designations at a later date.

Respectfully Submitted,

/s/ Aldo A. Badini

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cc: Counsel for All Parties (via ECF)
Counsel for Sagentia (via ECF and email)